



**By ECF**

Honorable Miroslav Lovric  
United States Magistrate Judge  
United States District Court  
Northern District of New York  
15 Henry Street  
Binghamton, New York 13901

**Re: Dr. A., et al., v. Hochul, et al., 21-CV-1009 (DNH)(ML)**

Dear Judge Lovric:

I write on behalf of Plaintiffs pursuant to this Court's Text Order on February 2, 2022. (ECF No. 46.) As your Honor is aware, the Court denied Plaintiffs' Renewed Motion for Preliminary Injunction on February 23, 2022. (ECF No. 49.)

However, on February 14, 2022, Plaintiffs filed a petition for writ of certiorari in the U.S. Supreme Court appealing the Second Circuit's decision in *We the Patriots USA, Inc. v. Hochul*, No. 21-2179, and *Dr. A. v. Hochul*, No. 21-2566 (ECF No. 30), which had vacated the District Court's earlier order granting Plaintiffs' first Motion for Preliminary Injunction (ECF No. 22). That petition is still pending as of today.

At this time, Plaintiffs also intend to file a Notice of Appeal from the District Court's February 23 Order before their deadline expires on March 25, 2022.

In light of the foregoing, Plaintiffs do not believe a motion to dismiss is appropriate at this time. If necessary, Plaintiffs intend to move for a stay of the District Court proceedings until the above-mentioned matters are resolved on appeal.

Thank you for your consideration of these matters.

Respectfully submitted,

/s/ Christopher Ferrara  
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CC (via ECF): Counsel of Record